IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

SECOND APPEAL NO.548 OF 2000

Shelar Nanso Bagal and Ors. .. Appellants

Versus

Laxmanrao Nanso Bagal and Ors. .. Respondents

Mrs.Varsha Palav, for appellants

Mr.Amit Shetye h/f Amit Borkar for respondents

CORAM : P.V.KAKADE,J.

DATE : 2ND DECEMBER, 2004

P.C.:

1. Heard the learned counsel for both parties.

2. The appellant shave preferred this appeal against the judgment and order passed by Addl. District Judge,Kolhapur dismissing the appeal and confirming the order and decree passed by Joint Civil Judge, Junior Division, Ichalkaranji in Regular Civil Suit No.54 of 1989.

3. After having considered the relevant record and going through the judgments of both the courts below, it appears that the concurrent findings are recorded by both the courts holding that the Plaintiffs had proved that Plaintiff No.2 was legally wedded wife of Nanaso and plaintiff No.1 son was born through the said wedlock. It was further proved that the plaintiffs were legal heirs and have got share in the properties of Nanaso. The defendants contention challenging the said grounds were rejected. In other words there is no substantial question of law involved and both the courts below have appreciated the evidenced in just, legal and proper manner.

4. In view of this position the appeal is devoid of any merits and stands dismissed in limine with no order as to cost. Consequently the Civil applications also stands dismissed with no order as to costs.